

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DESMOND T. MANAGO,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C22-1839RSM

ORDER DENYING MOTION TO
VACATE, SET ASIDE, OR CORRECT
SENTENCE

Before the Court is Petitioner's § 2255 Motion to Vacate, Set Aside, or Correct Sentence.

Dkt. #1. On February 5, 2015, Desmond T. Manago was sentenced to 120 months of confinement following a guilty plea for sex trafficking of a minor. Case No. 14-cr-00023-RSM, Dkts. #31 and #32. No appeal has been filed.

Petitioner's instant Motion is extremely brief. He's states only one ground for relief: "apply First Step Act to sentence." Dkt. #1 at 5. The supporting facts say: "Manago was convicted and sentenced to sex trafficking of a minor. Sex trafficking of a minor qualifies for the First Step Act. The First Step Act was made retroactive by the supreme court and should be applied to Manago's sentence." *Id.*

A response from the Government is unnecessary under Rule 4 of the Rules Governing § 2255 Proceedings because it plainly appears that Petitioner is not entitled to relief. The Court

1 can easily rule at this time that the petition is lacking in sufficient facts or law to be granted and
2 is otherwise frivolous. Dismissal is warranted.

3 Having reviewed the Motion, along with the remainder of the record, the Court hereby
4 finds and ORDERS that Petitioner's § 2255 Motion to Vacate, Set Aside, or Correct Sentence.
5 Dkt. #1, is DENIED.

6 DATED this 8th day of February, 2023.
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9 RICARDO S. MARTINEZ
10 UNITED STATES DISTRICT JUDGE
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